

OSCAR LEESER
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
LARRY ROMERO, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
LILY LIMÓN, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

AGENDA FOR REGULAR COUNCIL MEETING

**NOVEMBER 5, 2013
COUNCIL CHAMBERS, CITY HALL
8:30 a.m.**

AND

**LEGISLATIVE REVIEW MEETING OF THE WHOLE
300 N. CAMPBELL
MAIN CONFERENCE ROOM, 2ND FLOOR
NOVEMBER 4, 2013
9:00 a.m.**

NOTE:

- The City Council Agenda has been reorganized as directed by City Council on June 25, 2013 to allow for a **Call to the Public at 12:15 p.m. – 12:45 p.m.** Requests to speak must be received by **9:00 a.m.** on the date of the meeting. Three minutes may be allowed for each speaker. Thirty minutes in total will be devoted for Call to the Public.
- At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.
- If items are scheduled for the Executive Session, the Council will move to Executive Session at the end of the Regular Agenda items or after Call to the Public, whichever comes first or as determined by the Presiding Officer.

ROLL CALL

INVOCATION BY POLICE, FIRE AND CIMA CHAPLAIN SAM FARAONE

PLEDGE OF ALLEGIANCE

GRACE ADONAI BAEZA

MAYOR'S PROCLAMATIONS

- 1. EPILEPSY AWARENESS MONTH**
- 2. GOLDEN CORRAL MILITARY APPRECIATION MONDAY**
- 3. HONOR THE VETERAN WEEK**

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

CONSENT AGENDA

1. APPROVAL OF MINUTES:

Approval of Minutes for the Regular City Council Meeting of October 29, 2013 and the Legislative Review Meeting of the Whole of October 28, 2013.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. BOARD APPOINTMENTS:

- 3A.** Manuel Feliberti to the El Paso Bond Overview Advisory Committee (BOAC), by Representative Michiel Noe, District 5. [Representative Michiel Noe, (915) 541-4794]
- 3B.** Luis De La Cruz to the Zoning Board of Adjustment by Representative Emma Acosta, District 3 [Representative Emma Acosta, (915) 545-4515]
- 3C.** Margaret J. Edman to the Animal Shelter Advisory Committee by Representative Emma Acosta, District 3 [Representative Emma Acosta, (915) 545-4515]

REGULAR AGENDA – PUBLIC HEARINGS

4. CITY DEVELOPMENT:

An Ordinance granting Special Permit No. PZST13-00021, to allow for a television broadcasting antennae and equipment facility on the property described as a portion of Lot 2, Block 3, Alto Mesa Unit 3, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.700 and 20.04.320 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 200 S. Alto Mesa. Property Owner: 99 CA, LP. PZST13-00021 **(District 8)**
[City Development, Arturo Rubio, (915) 541-4633]

5. COMMUNITY AND HUMAN DEVELOPMENT:

An Ordinance authorizing the City Manager to sign a Contract of Sale and any other necessary documents between the City of El Paso and the El Paso Collaborative for Community and Economic Development which will allow the City to convey Lot 60, Block 33, Tierra Del Este #6; and Lot 32, Block 32, Vista Real #3, in the City of El Paso, El Paso County, Texas (also known as 3081 Tierra Salada; and 3525 Oxcart Run), to the El Paso Collaborative for Community and Economic Development. **(District 5)**
[Community and Human Development, William Lilly, (915) 541-4377]

6. TAX OFFICE:

An Ordinance authorizing the City Manager to execute a Quitclaim (Tax Resale) Deed conveying all right, title and interest in real property described as Lot 18, Block D, Deal Addition, an addition to the City of El Paso, El Paso County, Texas, according to the map or plat thereof, recorded in Volume 9, Page 4, Map Records of El Paso County, Texas to Martin Arrieta and Ana Luisa Arrieta, in accordance with Section 34.05 (H) of the Tax Code. **(District 3)**

[Tax Office, David Childs, (915) 541-4598]

REGULAR AGENDA – OTHER BUSINESS

7. CITY DEVELOPMENT:

7A. Discussion and action on a resolution amending the City's Infill Development Incentive Policy for the City of El Paso **(All Districts)**

[City Development, Mathew McElroy (915) 541-4670]

7B. Discussion and action that the City Manager be authorized to execute a Tax Abatement Agreement between the City of El Paso and Central City Renal Construction LLC (the "Applicant"), pursuant to the City's Infill Development Incentive Policy, for the construction of a dialysis clinic development to be located at 1310 Murchison Dr., El Paso, Texas. **(District 8)**

[City Development, Mathew McElroy (915) 541-4670]

7C. Discussion and action that the City Manager be authorized to execute a Chapter 380 Economic Development Sales Tax Rebate Program Agreement by and between the City of El Paso and Central City Renal Construction LLC (the "Applicant"), in relation to Applicant's construction of a dialysis clinic development located at 1310 Murchison Dr., El Paso, Texas. **(District 8)**

[City Development, Mathew McElroy (915) 541-4670]

7D. Discussion and action that the City Manager be authorized to execute a Tax Abatement Agreement between the City of El Paso and Transmountain Renal Construction LLC (the "Applicant"), pursuant to the City's Infill Development Incentive Policy, for the construction of a dialysis clinic development to be located at 5800 Woodrow Bean Transmountain Dr., El Paso, Texas. **(District 4)**

[City Development, Mathew McElroy (915) 541-4670]

7E. Discussion and action that the City Manager be authorized to execute a Chapter 380 Economic Development Sales Tax Rebate Program Agreement by and between the City of El Paso and Transmountain Renal Construction LLC (the "Applicant"), in relation to Applicant's construction of a dialysis clinic development located at 5800 Woodrow Bean Transmountain Dr., El Paso, Texas. **(District 4)**

[City Development, Mathew McElroy (915) 541-4670]

EXECUTIVE SESSION

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act and the Rules of City Council.) The City Council will return to open session to

take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- EX1.** Collection claim against Ana P. Gonzalez and William Patterson, Our Matter No. 11-1026-042 (551.071) [City Attorney's Office, Laura P. Gordon (915) 541-4550]
- EX2.** E-One, Inc. vs. Hall-Mark Fire Apparatus-Texas, LLC vs. City of El Paso, Cause No. 2012-DCV05753 (551.071) [City Attorney's Office, Kenneth Krohn (915) 541-4550]
- EX3.** Claim of Three Legged Monkey L.P. and James Michael Armstrong; Our file no. 13-1001-040.001 (551.071) [City Attorney's Office, Laura P. Gordon (915) 541-4550]
- EX4.** Claim of Weidner Consulting, Inc.; Our file no. 13-1056-011(551.071) [City Attorney's Office, Laura P. Gordon (915) 541-4550]
- EX5.** Cesar Sanchez v. The City of El Paso, et. al., Cause No. EP-13-CV-0235-DB (551.071) [City Attorney's Office, Kenneth Krohn (915) 541-4550]

12:15 p.m. – 12:45 p.m. CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

NOTICE TO THE PUBLIC:

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY THURSDAY AT THE ADDRESS BELOW:

<http://www.elpasotexas.gov/>